



ATTORNEY'S DOCKET NO. C1039.70020US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Arthur M. Krieg et al.
Serial No.: 09/337,584
Confirmation No.: 9619
Filed: June 21, 1999
For: IMMUNOSTIMULATORY NUCLEIC ACID MOLECULES

Examiner: Nita Minnifield
Art Unit: 1645

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 28 day of November, 2005.


Helen C. Lockhart

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

DECLARATION OF DR. ARTHUR KRIEG

I, Arthur Krieg, M.D. declare as follows:

1. I am an inventor of the above-identified patent application and I make this declaration in support of that application. I am currently Chief Scientific Officer of Coley Pharmaceutical Group, Inc, exclusive licensee of the technology from the University of Iowa.
2. At the time that Table 13 was added to the specification in October of 1997, I had performed several experiments testing panels of CpG oligonucleotides for the ability to induce IL-12. I have prepared a summary table including some of that data. It is attached hereto.

*Considered
3/16/06
mm*

3. Each column of data in the table represents a different donor subject. The date of the experiment is indicated in the second row of the Table. Columns 11 and 13 include the data presented as experiment 1 and experiment 2 of Table 13, respectively.
4. I declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true. I declare further that the statements were made with the knowledge that willful, false statements and the likes so made, are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of this document and any patent which may issue from the above-identified patent application.

Date:

11/28/05

Dr. Arthur Krieg

Arthur Krieg

EXHIBIT 1

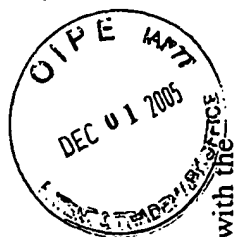


Table of IL-12 levels in supernatants of PBMC from different human donors cultured in regular medium alone ("cells"), or treated with the indicated ODN (generally at a concentration of 6 ug/ml), CG are highlighted

Date	#1 9/4/96	#2 9/17/96	#3 9/19/96	#4 9/27/96	#5 10/7/96	#6 11/22/96	#7 11/22/96	#8 5/22/97	#9 7/8/97	#10 7/8/97	#11 7/8/97	#12 7/8/97	#13 7/8/97
ODN													
Cells													
1456	24	0	0	2	7	9	2	0	14	0	0	0	0
1471				10	15.6								
1585					15.6			16					
1745	50	62	5	0	30								
1758	60	250	0	2		10	9						
1826	60	65	0	65	30								
1833						92	78						
1834						13	5.4						
1835	60	0	0	140	10	10	1.8						
1836						8	4						
1840	70	55	200	500	70	58	8	150					
1841	110	15.6	40	500	200	12	3	62					
1842	34	0	10	75	15.6	61	50						
1845					15.6								
1894	30	0	0	15	10								
1908		5	62	62									
1910					14								
1911					14								
1933	50												
1934	50												
1944	30	16	0	70	12								
1957					10								
1958					10								
1959					10								
1960					15.6	20	14						
1961					15.6	20	27						
1962					14	13	10		11	3	19	0	0
1965									21	20	36	0	2
1967									41	15	41	4	0
1968									16	0	24	0	0
1971									7				
1972									0				
1982									0	3	3	0	0
2005									0	10	25	0	0
2006									4	5	29	0	15
2014									4	12	28	10	0

